

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIAM MARTENIES,

Case No. 3:22-cv-00222-MMD-CSD

**Plaintiff,**

## ORDER

v.

KILOLO KIJAKAZI, Acting Commissioner,  
Social Security Administration,

**Defendant.**

12 Before the Court is the Report and Recommendation (“R&R”) of United States  
13 Magistrate Judge Craig S. Denney (ECF No. 21), recommending that the Court dismiss  
14 this action. Martenies had until February 15, 2023 to file an objection. To date, no  
15 objection to the R&R has been filed. For this reason, and as explained below, the Court  
16 adopts the R&R in full and dismisses this action.

17 Because there is no objection, the Court need not conduct de novo review and is  
18 satisfied Judge Denney did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d  
19 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and  
20 recommendations is required if, but *only* if, one or both parties file objections to the  
21 findings and recommendations.”) (emphasis in original). Here, Judge Denney  
22 recommends dismissing this action because Martenies has failed to file a motion for  
23 reversal and/or remand in compliance with the Court’s August 8, 2022 order (ECF No.  
24 18), despite the Court’s granting of an additional 30 days to comply and warning that  
25 failure to comply may result in dismissal (ECF No. 19). (ECF No. 21 at 1.) The Court  
26 agrees with Judge Denney. Having reviewed the R&R and the record in this case, the  
27 Court will adopt the R&R in full.

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1 It is therefore ordered that Judge Denney's Report and Recommendation (ECF  
2 No. 21) is accepted and adopted in full.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to enter judgment in Defendant's favor and close this  
5 case.

6 DATED THIS 21<sup>st</sup> Day of February 2023.



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8 MIRANDA M. DU  
9 CHIEF UNITED STATES DISTRICT JUDGE  
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